



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12th St., S.W.**  
**Washington, D.C. 20554**

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**DA 05-16**  
**January 5, 2005**

## **COMMENTS INVITED ON APPLICATION OF CARMEL TELEPHONE SERVICES, INC. D/B/A SUSCOM TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES**

**WC Docket No. 04-438**  
**Comp. Pol. File No. 695**

**Comments Due: January 19, 2005**

### **Section 214 Application**

**Applicant: Carmel Telephone Services, Inc. d/b/a SusCom**

On December 6, 2004, Carmel Telephone Services, Inc. d/b/a SusCom (SusCom or Applicant), located at 140 East Market Street, York, Pennsylvania 17401, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority to the extent necessary, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of local exchange and domestic toll services to customers that reside in portions of the communities of Beacon, Billings, East Fishkill, Wappinger Falls, Hillside Lake, and Poughquag in Dutchess County, New York.

SusCom states in its application that, as part of its efforts to upgrade its network and service offerings, SusCom will be changing its underlying network provider from RCN to MCI on or about February 5, 2005. SusCom indicates, however, that due to technical factors, MCI will be unable to provide underlying service to approximately 44 existing SusCom residential customers located in the Hopewell Junction Exchange in the service territory of Frontier Communications of Sylvan Lake. SusCom indicates that it is non-dominant with respect to the services to be discontinued. SusCom seeks permission to discontinue local exchange and domestic toll services to these customers, as of February 5, 2005. SusCom states that it notified all affected customers of the proposed discontinuance by letter dated December 3, 2004, and that customers may receive further notice and contact as necessary. SusCom adds that, in accordance with the New York Commission's Mass Migration guidelines, it has developed a detailed plan to assist these customers in their migration to other local exchange and domestic toll service providers, and that those customers wishing to retain their existing telephone numbers will be able to do so through number portability.

In accordance with section 63.71(c) of the Commission's rules, SusCom's application will be deemed to be granted automatically on the thirty-first (31st) day after the release date of this public notice, unless the Commission notifies SusCom that the grant will not be automatically effective. Accordingly, pursuant to section 63.71(c), absent further Commission action, SusCom may not terminate service until February 5, 2005. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would otherwise be adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **January 19, 2005**. Such comments should refer to **WC Docket No. 04-438 and Comp. Pol. File No. 695**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the subject line "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Room TW-A325, Washington, D.C. 20554. Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD.20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12<sup>th</sup> Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [carmell.weathers@fcc.gov](mailto:carmell.weathers@fcc.gov), or Denise Coca, (202) 418-0574 (voice), [denise.coca@fcc.gov](mailto:denise.coca@fcc.gov) of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit [http://www.fcc.gov/wcb/cpd/other\\_adjud](http://www.fcc.gov/wcb/cpd/other_adjud).

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